(d) whether Americans are making an issue of this and can enforce it under their special trade laws ; and

(e) whether Indian pharmaceutical industry would have to pay royalties to American patent holders and this added to their margin of profit will raise the cost of drugs and medicines within the country ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) Yes Sir. This Statement was made by the Minister of State.

(b) to (e) No, Sir, I had in my inaugural address only stated that a Background Paper for discussion on review of Drug Policy was before the House and was likely to be taken up for discussion in the ensuing Mansoon Session of the Parliament.

Charge-sheet Issued for Unauthorised Absence

3107. SHRI MD. SALIM : Will the PRIME MINISTER be pleased to refer to the reply to Starred Question 70 given in the Rajya Sabha on 29th April. 1993 and state :

(a) what are the reasons of issuing the charge-sheet of unathorised absence under rule 25 on 21st May, 1990 when rule 30—A was also in existence ;

(b) whether at the time of issuing the charge-sheet under rule 25 on 21st May, 1990, the unauthorised absence from Duty by the Marketing Executive was more than 30 days or not, together with reasons therefor ;

(c) whether it is a fact that the official had replied the charge-sheet of 21st May, 1990 on 30th May, 1990 ;

(d) if so, the reasons of issuing the notice under rule 30—A by an officer junior to CMD on 1st June, 1990 ;

(e) the reasons as to how it was stated that no simultaneous proceedings were going on in any case, as per the answers given to the Unstarred Question Nos. 2262 dated 30th July, 1992 and 4597 dated 20th August, 1992 respectively ; and

(f) whether it is a fact that the Marketing Executive had challenged the authorities of CMD on 30h May, 1990, with reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (f) The question relates to a former Marketing Executive of IDPL whose services were terminated by the company in accordance with the provisions of Conduct, Discipline & Appeal Rules of the company. For employees below the Board level, Government is neither the Appointing, Disciplinary, Appellate nor the Reviewing Authority and as such the Government does not intervene in the service matters of such employees of the public sector undertakings.

The company has reported that the said employee had filed a writ petition in the Hon'ble Delhi High Court against the disciplinary proceedings initiated against him by the management and the writ petition was dismissed by the Hon'ble Delhi High Court. While dismissing the petition the Hon'ble Delhi High Court observed "The petitioner has been unauthorisedly abstaining himself from joining since March, 1989. This is nothing short of indiscipline. In these circumstances, we are not inclined to interfere. Dismissed." Aggrieved by these orders of the High Court, the petitioner filed two Special Leave Petitions in the Hon'ble Supreme Court of India which were also rejected.

Charge Sheet Issued to Employees of IDPL

3108. SHRI MD. SALIM : Will the PRIME MINISTER be pleased to refer to the reply to the Unstarred Question 1912 given in the Rajya Sabha on 13th May, 1993, and state :

(a) the reasons for issuing charge sheets to both the employees in November/December, 1989 for their unauthorised absence from 12th March, 1989 and 20th June, 1989 respectively and how it justified the statement given in part (b) of the Unstarred Question 1595 dated 3rd December, 1992 ;

(b) the reasons for not starting the disciplinary proceedings during March/April, 1989 and June/July, 1989 respectively against the above mentioned employees as per the statement given to part (b) of the Unstarred Question No. 1595, dated 3rd December, 1992, when they were refused leave on 12th March, 1989 and 20th June, 1989 respectively together with reasons therefor ;

(c) the reasons for putting economic pressure on the above employees by delaying tactics in issuing the charge sheet and starting of disciplinary proceedings after refusing the leave in March, 1989 and June, 1989 respectively ; and

(d) In reply to Unstarred Question Nos. 2259 and 2262 both dated 30th July, 1992 ; please justify the statement "The disciplinary proceedings and issuing of charge sheet are initiated within a reasonable time", on the above employees, with reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (d) The question relates to a Marketing Executive and a Medical Representative of Indian Drugs & Pharmaceuticals Ltd. (IDPL) whose services were terminated by the management under the relevant provisions of the Conduct, Discipline & Appeal Rules of the company. For employees below the Board level, Government is neither Appointing, Disciplinary, Appellate nor the Reviewing Authority and as such Government does not intervene in the service matters of such employees of the public sector undertakings.

The company has reported that the said employee had filed a Writ Petition in the Hon'ble Delhi High Court against the disciplinary proceedings initiated against him by the management and the Writ Petition was dismissed by the Hon'ble Delhi High Court. While dismissing the petition the Hon'ble Delhi High Court observed "The petitioner has been unauthorisedly abstaining himself from joining since March, 1989. This is nothing short of indiscipline. In these circumstances, we are not inclined to interfere. Dismissed." Aggrieved by these orders of the High Court, the petitioner filed two Special Leave Petitions in the Hon'ble Supreme Court of India which were also rejected.

The former Medical Representative, as reported by IDPL, has filed a Writ Petition in the Hon'ble Delhi High Court which is pending before the Hon'ble Court.

Provisions of Drug Policy, 1978 and Measures 1986

3109. SHRI H. HANUMANTHAPPA : Will the PRIME MINISTER be pleased to state :

(a) what are the total provisions of Drug Policy 1978 and Measures 1986 ;

(b) how many provisions of Drug Policy 1978 were retained in the Measures 1986 and what are the details of provisions which were omitted from Measures 1986 ;

(c) whether it is a fact that fair trials to both these policies have not given ;

(d) if so, the reasons thereof ; and

(e) what are the provisions of Drug Policy 1978 and Measures 1986 which Government are proposing to retain in the proposed policy under Review ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (e) Drug Policy 1978 remained in force for more than 8 years and Drug Policy, 1986 is in force for the last seven years. Need for and the extent of modifications required under the changed circumstances have been submitted in the Background Note placed on the Table of the House for discussion on 12-8-92.

Transport Pool at Sindri Unit of Fertilizer Corporation of India Ltd.

3110. SHRI GAYA SINGH : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that the Sindri Unit of the Fertiliser Corporation of India Ltd. is running a Transport pool for operation and maintenance of FCI vehicles ;

(b) if so, whether it is a fact that several lakhs of rupees is being spent on contract for maintenance of FCI vehicles ;

(c) if so, the details of money spent on contract in the last three years for transport pool maintenance job-wise and vehicle-wise ;

(d) whether it is a fact that fake bills have been paid to the contractors ; and

(e) if not, whether an enquiry can be set up for investigation in the total affairs of the transport pool maintenance and operation ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) Yes Sir.

(b) and (c) The information is given in the enclosed Statement I and II. (see below)

(d) and (e) There has been no payment by the Fertiliser Corporation of India to the contractors against fake bills. At present, no enquiry into the maintenance and operation of the transport pool is contemplated.

Statement-I

Vehicles-wise details of maintenance Expenditure through contract for the last three years

Category of vehicles	Expenditure incurred (Rs. in lakhs)		
	1990-91	1991-92	1992-93
Cars . . .	1.46	1.11	1.14
Vans . .	0.37	0.68	0.06
Jeeps . .	2.58	1.58	2.59
Ambulances .	0.68	1.14	0.61
Buses . .	2.72	5.17	5.21
Trucks . .	1.28	1.64	1.84
Tankers . .	0.07	Nil	Nil
Dumpers . .	0.24	0.54	0.14
Motor cycles .	0.16	0.34	0.22
Fire Tenders .	0.15	0.13	0.09